

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

HAROLD R. MERCHANT,

Plaintiff,

:

Case No. 3:06-cv-347

-vs-

District Judge Walter Herbert Rice
Chief Magistrate Judge Michael R. Merz

:

MONTGOMERY COUNTY CHILD
SUPPORT ENFORCEMENT
AGENCY, et al.,

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATIONS

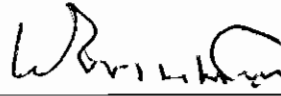
The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #3), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto¹ and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on November 22, 2006, hereby ADOPTS said Report and Recommendations.

It is therefore ORDERED that the Complaint herein be dismissed without prejudice for lack of subject matter jurisdiction under the *Rooker-Feldman* doctrine as to Plaintiff's request to have this Court review any decisions of the Montgomery County Common Pleas Court, with prejudice for any claims against the Juvenile Court Magistrates in their individual capacities, without prejudice for failure to state a claim upon which relief can be granted as to the Child Support Enforcement

¹On November 9, 2006, Plaintiff filed a letter (Doc. No. 4) asking to have his case heard by a jury, but he made no objections to the law cited by the Magistrate Judge.

Agencies and the magistrates in their official capacities, and without prejudice under 28 U.S.C. §1367 as to Defendant Davis Mesaros.

December 6, 2006.

A handwritten signature in black ink, appearing to read "W. Herbert Rice", is positioned above a horizontal line.

Walter Herbert Rice
United States District Judge